

## LONG BEACH CITY COUNCIL MEETING

NOVEMBER 21, 2005

### CALL TO ORDER

Mayor Ramsey called the meeting to order at 4:00 p.m. explaining this was a special meeting in regards to an appeal of the Planning Directors decision for Atlas Construction.

### ROLL CALL

Robert Strobe, City Administrator, called roll with Mayor Ramsey, C. Cook, C. Luethe, C. Moore, C. Unruh and C. Zuern present.

Robert Strobe explained it was a combined agenda. He also stated there was a revised agenda to include AB 05-110, Gap Road Maintenance Agreement under the business section. He advised there were 2 public hearings on the agenda scheduled at 6:30 p.m. and recommended that if a conclusion was not made on the appeal hearing that it be recessed and open the public hearings and conclude them, then come back to the appeal hearing. After the appeal hearing, conclude the business section.

### APPEAL HEARING

Atlas Construction Appeal Hearing

Mayor Ramsey asked the council if there was any exparte contact in regards to this appeal. Being none, appellants Paul John Graff and Katherine O'Neil gave opening statements followed by opening statements from Counsel for the City of Long Beach, Jeff Myers. John Paul Graff and Jeff Myers presented exhibits and asked questions of Robert Strobe, City Administrator, John Schelling, Community Development Director, and Mike Caccavano, Engineer P.E. on various practices, ordinances, and resolution pertaining to policy. After closing statements were made by both parties, **C. Moore made the motion to go into Executive Session for approximately 15 minutes, with C. Unruh seconding the motion. 5 Ayes 0 Nays, motion passed.**

**C. Luethe made the motion to come out of Executive Session with C. Moore seconding the motion. 5 Ayes 0 Nays, motion passed.**

**C. Cook made the motion to direct staff to prepare a document stating the city council upheld the Planning Directors decision along with the conditions that he accepted it on. C. Zuern seconded the motion. 5 Ayes 0 Nays, motion passed.**

Jeff Myers felt it appropriate that he prepare the decision and provide to John Paul Graff, Katherine O'Neil, and Mr. Sherar for review. The Council concurred.

## **PUBLIC HEARING**

### **AB 05-105-1 Resolution 2005-5 2006 Property Tax Amount**

Mayor Ramsey opened the public hearing. David Glasson, Finance Director, presented the agenda bill and explained since Initiative 695 & I 722 passed; cities can only increase property taxes by 1%. He explained the increase for property tax and new construction tax would amount to approximately \$17,208. Being no further comments, Mayor Ramsey closed the public hearing. **C. Luethe made the motion to adopt Resolution 2005-5 increasing property tax to 1% with C. Moore seconding the motion. 4 Ayes 1 Nay (Unruh), motion passed.**

### **AB 05-108 Continued Public Hearing on Sexually Oriented Businesses**

Robert Strobe, City Administrator, reported the Planning Commission conducted a regular meeting and voted unanimously to recommend approval of Ordinance 800 regulating and limiting the location of adult use and sexually oriented businesses. The Planning Commission also recommended providing notice to property owners within five hundred feet of an area in which an adult use business could locate. Based on that recommendation, staff has identified property owners within the five hundred foot area and developed a draft letter to mail to property owners. Robert Strobe felt that letters should be sent out to everyone or no one. Mayor Ramsey opened the public hearing. Betty Ahern felt the buffer zone map should indicate where the churches, daycare, etc. were located. C. Luethe felt to simplify the process the adult business should be allowed in the commercial zone only. Mayor Ramsey asked if the buffer zone map could be changed in the future in the event a new church, daycare, etc. came in one of the buffer zones. Robert Strobe answered, yes, but cautioned that changes in the buffers would not prevent existing adult businesses from continuing to operate if one had been established. Robert Strobe noted that if a church, day care, or school wanted to locate within an area impacted by adult use zoning they would need to obtain a special purpose permit, that would advise them of the adult business allowed in that vicinity. C. Moore asked what is the time frame on the moratorium when staff is advised to go forward. Robert Strobe answered the moratorium would stay in effect until the ordinance was adopted. Betty Ahern asked if an area was found to be inappropriate for the adult business, could the buffer zone be extended. Robert Strobe answered all of the buffer zones would need to be extended. Robert Strobe stated that the staff was recommending continuing the public hearing and seeking guidance on written notice. The City Council indicated a desire to move forward and adopt the ordinance instead. Mayor Ramsey asked for other comments and being none closed the public hearing. **C. Zuern made the motion to adopt Ordinance 800 with C. Cook seconding the motion. 5 Ayes 0 Nays, motion passed.**

## **CONSENT AGENDA**

Minutes of November 2, 2005 Special Meeting

Minutes of November 2, 2005 Regular Meeting

Payment Approval List for Warrant Registers 51530-51605 in the amount of \$128,045.15

Payroll Report for Pay Period Ending October 31, 2005 Warrants 39608-39665 in the amount of \$67,162.08

**C. Moore made the motion to accept the consent agenda as presented with C. Luethe seconding the motion. 5 Ayes 0 Nays, motion passed.**

## **BUSINESS**

### **AB 05-109 CAPE COLUMBIA SURVEY**

Final results have been tallied from a survey of water customers with specific questions regarding the proposed name change. The results show 88% of residential customers and 95% of businesses do not think the area should be named Cape Columbia. Robert Strobe asked the City Council to take a formal position on the issue so the City can provide the State Board on Geographic Names a letter to that effect. C. Luethe agrees on a letter but would like the Mayor and City Council review it. **C. Cook made the motion to direct staff to draft a letter to the State Board on Geographic Names opposing the proposal to name the area Cape Columbia for the Mayor's signature with C. Unruh seconding the motion. 5 Aye 0 Nays, motion passed.**

### **AB 05-110 OCEAN BEACH GAP ROAD MAINTENANCE AGREEMENT**

Washington State Parks and Recreation pays the City of Long Beach to maintain gap roads. The agreement would extend the agreement until June 30, 2007 and increase the payment amount to \$4,000 per gap road. **C. Moore made the motion to adopt AB 05-110 that approves the agreement and authorizes the Mayor to sign. C. Unruh seconded the motion. 5 Ayes 0 Nays, motion passed.**

## **REPORTS AND CORRESPONDENCE**

Mayor and City Council  
Staff

Mayor Ramsey complimented Ragan Andrew on a good job with the Clark's Last Mile Walk. It was well attended and many thanks were given to the City for the water, jerky, and craisins. Mayor Ramsey also reported on the Confluence Project with Maya Lin at the Kite Museum. Comments that were heard by the council at the Corps II event included; best place to work with staff and city and attendance was the 2<sup>nd</sup> highest along the trail. C. Lethe stated he was very impressed with the speeches and presentations on Lewis and Clark, especially York.

Long Beach Police Report for October  
Beachdog Monthly Report  
Letter of Thanks, Beach Barons Car Club

Letter of Thanks, Pacific County Fire District 1  
Thank you card, IHS Leadership Class  
Thank you, card, Vancouver Parks and Recreation  
Letter regarding Penttila's Chapel from David Haines  
Business License, Labor Ready Northwest, Inc., Tacoma, temporary workers

## **PUBLIC COMMENT**

David Glass on reported on attending Superior Court proceedings in South Bend in regards to Discovery Trail. The City received the summary judgment. Leslie Brophy presented to the council a charity event for Fish that Tara Jarrett hosts each year, that the city waived the permit fee. This year she was denied due to Robert Strobe explaining it was against the Washington State Constitution, citing gifts of public funds. C. Cook stated he would pay for the license and then the other council members agreed to pitch in. C. Luethe thanked C. Unruh for his many years on the city council.

## **ADJOURN**

**C. Moore made the motion to adjourn at 7:15 p.m. with C. Zuern seconding the motion. 5 Ayes 0 Nays, motion passed.**

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Mayor

ATTEST:

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City Clerk